

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Commercial Taxes Department - Allegations of corruption against Sri V. Karunakar Babu, Junior Assistant (AO-1) and Sri G. Anandam, Attender (AO-2), O/o the Commercial Tax Officer, Musheerabad, Hyderabad - Trapped on 28.11.2005 - Prosecuted - Acquitted by the Principal Special Judge for SPE & ACB Cases, Hyderabad - Regularization of suspension period of Sri G. Anandam, Attender as 'not on duty' - Orders - Issued.

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No. 631

Dated.25.4.2012.

Read the following:

1. From the DG, ACB, Letter Rc. No. 223/RCT-CR1/2005, dated 15.05.2006.
2. G.O.Ms.Nos.1175 & 1176, Revenue (Vig. I) Dept., Dt: 18.8.2006.
3. From the DG, ACB, Letter Rc. No. 223/RCT-CR1/2005, Dated 28.10.2011.
4. Judgment of the Court of Prl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyderabad in CC No.52/2006, dt.30.08.2011.
5. Govt., Memo.No.57779/Vig.I (2)/2005-7, dt.18.11.2011.
6. From the CCT's.Ref.Vig (4)/1494/2005, dt.27.2.2012

ORDER:-

It has been brought to the notice of the Government that Sri V. Karunakar Babu, Junior Assistant and Sri G. Anandam, Attender, O/o the Commercial Tax Officer, Musheerabad, Hyderabad were trapped by the Anti-Corruption Bureau on 28.11.2005, allegedly for demand and acceptance of illegal gratification of Rs.1500/- from the complainant, Sri A. Ramchander, S/o late Rajesham, Hyderabad for showing an official favour i.e., in preparing three years assessment in order to get the refund amount from the Commercial Tax Office and accepting the bribe amount through Sri G. Anandam, Attender of the same office.

2) And whereas, in the reference 2nd read above, sanction was accorded to the Director General, Anti-Corruption Bureau to prosecute the Accused Officers, Sri V. Karunakar Babu, Junior Assistant and Sri G. Anandam, Attender, O/o the Commercial Tax Officer, Musheerabad, Hyderabad, in a Court of Law.

3) And whereas, in the reference 4th read above, the Principal Special Judge for SPE & ACB Cases, Hyderabad delivered judgment on 30.8.2011 in CC No.52/2006 and held that the Accused Officer-1 Sri V. Karunakar Babu and Accused Officer-2 Sri G. Anandam are not found guilty of the charges framed against them under Sections 7 & 13(1)(d) r/w Section 13(2) Prevention of Corruption Act, 1988 and Sec.12 of the P.C. Act, 1988 respectively and consequently acquitted them under Section 248(1) of Criminal Procedure Code.

4) And whereas, in the reference 5th read above, based on the proposal of the Director General, Anti-Corruption Bureau, Government have accorded permission to the Director General, Anti-Corruption Bureau to file an appeal in the High Court of A.P against the acquittal judgment, dt: 30.8.2011 of the Principal Special Judge for SPE & ACB Cases, Hyderabad in CC No. 52/2006.

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5) And whereas, in the reference 6th read above, the Commissioner of Commercial Taxes, AP., Hyderabad, while forwarding the report of the Deputy Commissioner (Commercial Taxes), Secunderabad Division and representation of Sri G.Anandam, Attender has requested to issue necessary instructions in the matter. In his representation, Sri G.Anandam, Attender has requested for release of annual grade increments due for the years 2005 - 2008 and to regularize the suspension period as on duty and to pay the allowances after adjusting the subsistence allowances which was paid during the suspension period; keeping in view the acquittal judgement of Trial Court.

6) Government have examined the representation of Sri G.Anandam, Attender and decided to regularize the suspension period of the individual as not on duty as his suspension can't be considered as wholly unjustified since the tainted amount was recovered from him.

7) Accordingly, Government hereby order to regularize the suspension period of Sri G.Anandam, Attender from 29.11.2005 to 27.2.2008 as not on duty; without prejudice to the Criminal Appeal being filed before the High Court of A.P., He will be entitled only to subsistence allowance during the period. However, in view of his acquittal, the above period shall count for benefits i.e., notional increment, qualifying service for promotion, leave etc.,

8) The Commissioner of Commercial Taxes, AP., Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.Anandam, Attender, O/o CTO, Musheerabad, Hyderabad.
through Commissioner of Commercial Taxes, A.P. Hyderabad.
The Commissioner of Commercial Taxes, A.P. Hyderabad.
Copy to
The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary to VC, A.P. Vigilance Commission.
The Director of Treasuries & Accounts, Hyderabad.
The Revenue(CT.III) Department.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.